

VZCZCXYZ0005  
RR RUEHWEB

DE RUEHKO #0617/01 0440641  
ZNR UUUUU ZZH  
R 130641Z FEB 07  
FM AMEMBASSY TOKYO  
TO SECSTATE WASHDC 0604

UNCLAS TOKYO 000617

SIPDIS

SIPDIS

E.O. 12958: N/A  
TAGS: [PARM](#) [JA](#) [ENRG](#)  
SUBJECT: JANUARY 25-26, 2007 ASTOP IV MEETING

¶1. SUMMARY: On January 25-26, 2007, the Japanese Ministry of Foreign Affairs hosted the Fourth Asian Senior-Level Talks on Non-Proliferation (ASTOP IV) in Tokyo. Senior-level government officials in charge of non-proliferation policies from the ASEAN member countries (Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, Burma, Philippines, Singapore, Thailand, Vietnam), Australia, China, Republic of Korea, the United States and Japan attended the meeting. In addition, ASTOP IV marked the initial participation of both New Zealand and Canada. The first day of meetings focused on the IAEA Additional Protocol, United Nations Security Council Resolutions (UNSCR) concerning North Korea and Iran, the Six-Party Talks, nuclear fuel supply assurances, and export control systems. The second day was devoted to a discussion on the Proliferation Security Initiative (PSI) and a mock table-top exercise. China did not attend the PSI portion of the meeting. END SUMMARY.

-----  
OPENING SESSION  
-----

¶2. Senior Vice Minister for Foreign Affairs Katsuhito Asano's opening speech urged ASTOP member countries to act in concert and implement UNSCR 1718. Asano felt strongly that last year's missile launch and nuclear test by North Korea not only put peace and security in the Asia region in jeopardy but also threatened the entire world. Therefore he called on all countries to collectively work together to strengthen the non-proliferation regime. Asano expressed his hope that the Six-Party Talks will resume soon in an effort to get North Korea to abandon its nuclear weapons and existing nuclear programs. He also stated that humanitarian concerns must be addressed, namely the abduction issue. In Asano's final comments, he expressed gratitude to United Nations Under-Secretary for Disarmament Nobuaki Tanaka for his role in helping to realize UNSCR 1718. In MOFA's Disarmament, Non-Proliferation and Science Director-General Takeshi Nakane's opening remarks, he stated that the ASTOP's purpose is to strengthen the non-proliferation regime and promote better understanding of each country's responsibilities to achieve security.

-----  
Universalization of the Additional Protocol  
-----

¶3. After opening remarks, the conference took up the first agenda item on universalization of the Additional Protocol (AP). Having signed the AP in 2005 and currently undergoing the process of ratification, Thailand and Singapore presented first. Thailand reviewed its long and still continuing process toward AP accession, which requires revision of relevant domestic legislation prior to AP accession. Thailand highlighted the difficulties of educating GOT agencies on the meaning of the AP and of assessing and adjusting its internal procedures to carry out AP obligations. It also noted that it was amending its 1961

Atomic Energy for Peace Act so that penalties are in line with international standards. Currently a violator would be fined only \$100. Thailand expects a draft revision to be completed by next month. Singapore stated that it is now putting in place the necessary measures to ratify the AP and drew attention to the successful November 2006 visit of an IAEA team to advise GOS agencies on AP implementation. Vietnam noted that its president had decided in November 2006 to sign the AP and that the GOV is currently drafting legislation on civilian uses of nuclear energy. Vietnam requested support in training officials, preparing legislation, and capacity-building for enforcement of WMD measures. Malaysia noted it views non-proliferation in the context of disarmament and expressed its disappointment in the lack of disarmament progress. It also noted that it was still in the process of drafting export control legislation.

¶4. Indonesia noted it is developing a master plan for its first nuclear reactor, scheduled for completion in 2011. Indonesia argued that as the AP is voluntary, it should not be used as a precondition for IAEA cooperation on civilian uses of nuclear energy. Indonesia pointed out that only 78 states had ratified the AP and urged the United States and Russia to ratify as a clear example to others. The U.S. side apprised the group that the U.S. had signed the AP in 1998; the Senate provided its advice and consent in March 2004; and the Congress passed necessary legislation in December 2006. The USG is currently developing the regulations necessary to implement the legislation. Australia presented a detailed paper on its experience in signing and ratifying the AP. Australia also highlighted its May 2005 announcement that it would make the AP a pre-condition for supply of uranium to non-nuclear weapon states. South Korea, noting its accession to the AP and its position as a leader in the peaceful use of nuclear energy, added that it has also made AP adoption a pre-condition for nuclear supply. The Philippines regretted that although it had signed the AP in 1997, the AP is one of over 30 international treaties or agreements awaiting ratification due to disagreement between its executive and legislative branches. Cambodia noted that the biggest obstacle to adoption of the AP is the lack of awareness and understanding among domestic agencies, and requested assistance in capacity-building.

-----  
U.S. Statement on Nuclear Fuel Supply Assurances  
-----

¶5. Opening the next agenda item on assurance of nuclear fuel supply, the U.S. side called attention to President Bush's February 2004 speech urging suppliers to provide reliable access to nuclear fuel at reasonable cost for civilian reactors in States renouncing interest in enrichment and reprocessing. Recognizing the sensitivity of the subject, which could be perceived as restricting access of NPT-compliant states to peaceful nuclear technology or limiting access to the full fuel cycle to a handful of states, the U.S. stressed the need for vigilance regarding transfers of sensitive enrichment and reprocessing technology. Since the existing commercial nuclear fuel market is working well, the objective in developing fuel supply assurances is not to solve an existing supply problem; rather, it is to provide a mechanism to address possible future supply problems with sufficient certainty that recipient states can avoid devoting substantial resources to the indigenous development of enrichment and reprocessing capabilities, the U.S. side underscored. This back-up mechanism could include the establishment of a multilateral mechanism at the IAEA, coordination among enriched uranium commercial suppliers to back each other up, establishment of enriched uranium reserves, and creation of an international center or centers to provide uranium enrichment services.

¶6. In response to the USG presentation, Japan took the opportunity to circulate again its "IAEA Standby Arrangements System" proposal, previously distributed at the September 19-21, 2006 50th IAEA General Conference Special Event, which supports the IAEA multilateral mechanism but seeks to broaden

it by taking into account not only uranium enrichment, but all major front-end fuel cycle activities: uranium supply, storage, conversion, enrichment, and fuel fabrication. Australia (Note: Holder of 40 percent of the world's low-cost uranium reserves and the world's second largest uranium producer. End note.) stated its policy of making the supply of uranium contingent upon completion of bilateral agreements stipulating nonproliferation guarantees. Australia expressed its hope that the IAEA Secretariat analysis now in progress will address as-yet unexplored fundamental questions, such as any new mechanism's impact on national supply policies, the existing uranium market, and legitimate national fuel cycle choices. Canada, the world's largest supplier of uranium, noted that its position was broadly consistent with Australia's, that it was open-minded with respect to a new mechanism, and that it recognized the central role of the IAEA in reviewing the merits of current proposals. However, Canada noted that a business case would have to be made as to why there is a need for the nuclear fuel assurances system.

-----  
Global Initiative Briefing  
-----

¶7. The U.S. side provided a briefing on the Global Initiative to Combat Nuclear Terrorism. The briefing described the genesis of the initiative from the joint announcement by President Bush and President Putin on July 15, 2006, traced its development through the adoption of its Statement of Principles and Terms of Reference adopted in Morocco in October 2006. The U.S. side reviewed the Statement of Principles upon which the initiative is based: improved accounting and control of nuclear materials, enhancement of security at civilian facilities, detection of illicit trafficking, improving confiscation and safe control capabilities for illegally possessed materials, prevention of safe havens for terrorists and their resources, ensuring adequate regulatory frameworks with criminal and civil penalties, improved capabilities for consequence management following terrorist nuclear attack, and promotion of information sharing. The U.S. side urged attendees which are partners to provide leadership in gaining additional partners and urged non-partner attendees to consider the benefits of becoming partners. Such partnership will provide the opportunity to participate in expert-level activities planned for 2007-2008.

¶8. Canada stated that GI is intended to help countries collectively implement their obligations under a variety of multilateral agreements combating terrorism. Stressing the voluntary nature of the program and the ability to tailor participation to individual needs, Canada urged all countries to consider joining. Australia noted that it would be holding a seminar on GI on May 17-18, 2007, and invited all countries to attend in order to deepen understanding of GI before committing. Indonesia questioned the need for GI in light of the 13 UN conventions and protocols on counter-terrorism and United Nations Security Council Resolution 1540, and expressed concern over the proliferation of initiatives. Indonesia argued with work yet not completed on implementation of UNSCR 1540, GI is an added burden.

-----  
Japan's Efforts for Strengthening Nuclear Security  
-----

¶9. Japan provided a brief overview on its approach to nuclear security and counter-terrorism mechanisms. In an effort to enhance national counterterrorism measures, Japan asserted that it has become party to all 12 counter-terrorism conventions and protocols. Currently, it is working to implement additional international instruments, such as, the International Convention for the Suppression of Acts of Nuclear Terrorism and the Amendment on the Convention on the Physical Protection of Nuclear Material. Japan is also enhancing counterterrorism through promotion of international cooperation, such as actively contributing to the Global Initiative to Combat Nuclear Terrorism. On the nuclear

security front, sustained and comprehensive efforts to expand the framework includes the introduction of the Design Basis Threat. Government officials are in close cooperation with National Security Authorities to provide nuclear installations with round-the-clock security guards by the Riot Police Unit (anti-firearms squads) and by Japan Coast Guard patrol boats. Customs is also playing a major role by actively installing sophisticated equipment to detect nuclear and other radioactive materials. In May 2005, Japan amended its law for "regulation of nuclear source material, nuclear fuel material and reactors." The changes in the law mainly focused on physical protection inspection and physical protection information confidentiality and penalties.

-----  
China's Summary of the Status of the Six-Party Talks  
-----

¶10. Moving to regional non-proliferation issues, China's representative Ambassador Hu Xiaodi of the Arms Control and Disarmament Department, presented a paper on the current status of the Six-Party Talks on North Korea. China asserted that the second phase of the fifth round of the Talks, held in Beijing in December 2006, proved useful, with all sides reaffirming the spirit of the Joint Statement on September 19, 2005 through dialogue. Acknowledging that wide differences still exist between North Korea and the USG, China suggested that the most important events of the December meetings were the frequent contacts between the DPRK and U.S., including the two discussions between financial experts from the two sides, which had never occurred in previous rounds of the Talks. China disputed the view that the sanctions required by UNSCR 1718 would alone be sufficient to resolve the North Korean nuclear issue. Ambassador Hu argued that the resolution should be part of a comprehensive solution that included the Six-Party Talks. Finally, China hailed the January 16-18, 2007 bilateral talks in Berlin between North Korea and the USG as a positive development and expressed the hope that they would lead to the early resumption of, and substantive progress in, the Six-Party Talks.

¶11. In response during the later open floor session, South Korea took notice of the positive developments in Berlin and expressed hope for continued momentum for the implementation of the September 19 Joint Statement. South Korea noted that it submitted its national report to the 1718 Committee and on January 12, 2007 submitted a report on domestic measures to prevent the export of luxury goods to North Korea. Indonesia noted its agreement with China that sanctions are not the main point of 1718 and called on all parties to find a diplomatic solution. Australia urged the group not to forget that North Korea had exploded a nuclear weapon on October 9, clearly showing the threat of WMD to the Asian region. The North Korean return to the Six-Party Talks was "nice, but insufficient" and full and effective implementation of UNSCR 1718 must continue. Australia encouraged focused attention on the cargo inspection provision of UNSCR 1718, consistent with international law, and called for targeted inspections of suspect shipments. Burma stated its belief that the actions of North Korea have undermined the NPT, but noted the need to address nonproliferation and disarmament with the same urgency. Burma's representative stated that the Foreign Minister was heading an interagency committee in drafting a report to the 1718 Committee. Burma noted that all Government ministries and the central bank were involved in the drafting process.

-----  
USG Presentation on Iran  
-----

¶12. The U.S. side presented an update on recent developments with respect to Iran by noting that Iran has refused to suspend its uranium enrichment, reprocessing, and heavy-water related activities and has failed to comply with UNSCRs 1696 and 1737. Pointing out that in December 2006 the UN Security Council had unanimously adopted Resolution 1737, imposing sanctions on Iran as a result of Iran's refusal to comply

with UNSCR 1696 and of long-standing IAEA safeguards noncompliance, the U.S. side reviewed the specific UNSCR 1737 measures intended to prevent Iran from moving forward with its proliferation-sensitive nuclear activities and nuclear weapons-capable delivery systems. The U.S. side highlighted steps the USG has taken to implement its obligations under UNSCR 1737 and called on all member states to follow through on their obligations under the Chapter 7 UN Resolutions.

¶13. In response, Indonesia encouraged the P5 1 to take measures to try to engage Iran and queried the U.S. whether any steps pursuant to UNSCR 1737 Paragraph 21 had been taken on engagement of Iran. The U.S. side responded by reiterating Secretary Rice's statement that the USG remains open to the

SIPDIS

P5 1 diplomatic approach but stressed that Iran must cease enrichment efforts as a precondition. South Korea expressed its wishes that Iran not take any further aggravating measures and stated that the ROK will fully implement UNSCR ¶1737. In preparation, South Korea will hold an interagency meeting next week in order to prepare the 1737 report.

-----  
UN U/S Tanaka Report on Implementation of UNSCRs  
-----

¶14. UN Under-Secretary for Disarmament Affairs Nobuaki Tanaka presented on the next agenda item of UNSCR implementation. Opening with the declaration that 2006 was a year of

milestone UNSCR resolutions to curb WMD proliferation, Tanaka focused his remarks on resolutions 1540 and 1673 aimed at the long-term goals of strengthening national capacities and enhancing international cooperation to combat proliferation. Tanaka offered the view that the adoption of all recent non-proliferation resolutions by the UNSC, rather than by the UN General Assembly, reflected the preference of the Security Council nations to persuade only 15 nations instead of 192 and then make the decisions mandatory under Chapter 7 for all member states. Tanaka pointed out that while certainly the easier path, this approach might leave UN Member States outside the UNSC "less inclined to implement vigorously and aggressively the measures adopted by the Council."

¶15. Tanaka stated that UNSCRs 1540 and 1673 obligated all states to take legislative and administrative action to put in place national regulatory measures on non-proliferation, but implementation remains a national responsibility. Some countries are facing difficulties in addressing the initial requirements of 1540 due to a lack of administrative and technical ability. To underscore this point, Tanaka cited the widely varying regional rates at which member states have submitted first national reports to the 1540 Committee. In particular, the Pacific Islands are facing the greatest challenges, with only 25% of states having submitted first reports. Tanaka stressed that states lacking the necessary legal and regulatory infrastructure, or capacity and resources, may require assistance in implementing the provisions of UNSCR 1540.

¶16. The U.S. side stated that the USG, Singapore and Canada are co-hosting an ASEAN Regional Forum Workshop on UNSCR 1540 Implementation on February 13-15, 2007 in San Francisco and encouraged all interested parties to attend. New Zealand noted that the Pacific Island under-reporting was not due to a distaste for the process, but rather to a lack of capacity for performance. As a result, New Zealand was engaged in an 18-month program to reach out to South Pacific nations and offer to write or help to write the 1540 and other UNSCR reports. New Zealand argued that model lists of proscribed items and technologies would be useful for smaller countries with capacity limitations. Vietnam, though having completed the 1540 and 1718 reports, noted its own shortage of human and technical resources and appealed to the UN to look carefully at these issues.

-----



¶17. Singapore, Canada, New Zealand, Australia, Philippines, Cambodia, and Japan provided brief outlines of their domestic export control systems and nonproliferation measures, as well as outreach efforts. Singapore described its 3-Tier licensing scheme, set to take effect in January 2008. Philippines outlined its efforts at drafting comprehensive harmonized export control legislation and requested capacity building assistance for model legislation and training of key officers in the export control process. Cambodia noted that ratification of international commitments was easy, but implementation was the most important aspect of nonproliferation. Cambodia is currently developing a draft counter-terrorism law and working on standing a national authority for export controls. Australia noted it had gaps in its export controls, for example on intangible technology transfers and brokering for conventional weapons. Australia announced it was planning on co-hosting with South Korea a seminar on brokering controls in late March/early April and asked for technical experts to present. South Korea noted that it was testing software for use by small and medium sized enterprises (SMEs) for regulation of strategic trade. Currently 100 SMEs are involved, and if successful, the ROK will share the software with other countries.

-----  
PSI Mock Exercise  
-----

¶18. On the last day of the ASTOP meeting, MOFA put together a PSI mock table-top exercise for participants. The purpose of the exercise was to increase understanding about what types of operations are needed and what elements need to be considered in dealing with proliferation cases, with particular emphasis on: (1) relevant government agencies, their roles, relevant domestic laws and regulations; (2) relevant international law/norms; (3) types of coordination/cooperation with other countries and (4) applicable domestic legislation. China was the only country not to participate in the PSI portion of ASTOP. The exercise scenario attempted to draw out responses from states about how their individual governments might react to a real time interdiction scenario. The more experienced PSI states provided insight into their interagency processes as a means for stimulating thought and openness for those states less experienced in reacting to potential interdiction scenarios. The exercise was useful in creating an awareness of the need for each state to communicate with its various agencies, including law enforcement, to ensure effective coordination of interdiction actions.

¶19. In discussions before the exercise, participating nations raised a number of questions and issues. The Philippines noted domestic legal concerns over interdiction in territorial or high seas, and the lack of a clearly defined international norm for interdiction. The Philippines, Brunei, Cambodia, and Burma all expressed support in principle of PSI, but raised concerns over capacity to perform operations and difficulties in harmonizing national authorities in order to implement. (Comment: On the margins, Foley inquired of Brunei's representative whether they understood the condition that their attendance at the Warsaw PSI High Level Political Meeting in June 2006 would be considered as endorsement of the Statement of Interdiction Principles. Replying in the affirmative, she stated that her leadership had reconsidered their position and were not yet ready to fully endorse the principles. End comment.) The Philippines stressed the importance of protecting shipfarer rights. South Korea reiterated its support in purpose and principle, but that the scope of its participation was discretionary. During the exercise, participants discussed a number of issues, including the legal authorities used for enforcement activities; who is liable for delays due to inspections or boardings; whether a country is obligated to act upon information or requests from foreign partners; what are the intergovernmental and interagency processes and channels used

to communicate information and requests; and how PSI activities can comply with domestic legislation and international law.

¶20. Please contact Tokyo ESToffs Ayanna Hobbs on HobbsA@state.gov or Daniel Walter on WalterDK@state.gov for full text versions of the presentations.

-----  
Participants  
-----

Australia  
-----

--Mr. John Sullivan, Assistant Secretary, Arms Control and Counter-Proliferation Branch, International Security Division, DFAT  
--Mr. Murray Perks, Assistant Secretary, Security Policy and Programs, Department of Defence  
--Mr. Greg Manning, Assistant Secretary, International Security and Human Rights Branch, Office of International Law, Attorney General's Department  
--Ms. Sophia McIntyre, Executive Officer, Arms Control and Counter-Proliferation Branch, International Security Division, DFAT  
--Dr. Jerry Edward, Director, Counter Proliferation, Scientific and Technical Analysis Branch, Defence Intelligence Organisation  
--LDCR Letecia van Stralen, Deputy Fleet Legal Officer, Royal Australian Navy  
--Mr. Paul Power, Deputy Director, Counter-Proliferation and Arms Control, International and Domestic Security Branch, Department of Defence  
--Mr. Robert Matthews, Manager, Nuclear, Biological, Chemical Arms Control, Defence Science and Technology Organisation, Department of Defence  
--Mr. Christopher White, Director, Maritime Strategy, Australian Customs Service  
--GRPCPT Matthew Dudley, Defence and Armed Services Attache, Australian Embassy, Tokyo  
--Ms. Jenny Bloomfield, Counsellor (Political), Australian Embassy, Tokyo  
--Mr. Robert Rushby, Counsellor (Customs), Australian Embassy, Tokyo  
--Ms. Pauline Lee, First Secretary, Australian Embassy, Tokyo  
--Mr. Shane Flanagan, Second Secretary, Australian Embassy, Tokyo

Brunei Darussalam  
-----

--Ms. Datin Paduka Hj Maimunah Dato Paduka Hj Elias, Deputy Permanent Secretary, Ministry of Foreign Affairs and Trade  
--Ms. Roslizawati Hj Ibrahim, Second Secretary, Department of International Organisations, Ministry of Foreign Affairs and Trade  
--Mr. Mahadi Maidin, Minister Counsellor, Negara Brunei Darussalam Embassy

Cambodia  
-----

--Mr. Sun Suon, Director, International Organizations Department, Ministry of Foreign Affairs and International Cooperation  
--Ms. Sun Malen, Third Secretary, Cambodia Embassy

Canada  
-----

--Mr. Mark Gwozdecky, Director, Nuclear Non-Proliferation and Disarmament Division  
--Mr. Philippe Tremblay, Second Secretary, Embassy of Canada in Japan  
--Ms. Michelle Slade, Deputy Head of Mission at the Canadian Embassy of Tokyo

China  
-----

--Mr. Hu Xiaodi, Ambassador, Arms Control and Disarmament Department, MFA

--Ms. Chen Zhiwen, First Secretary, Chinese Embassy

#### Indonesia

--Mr. Andy Rachmianto, Deputy Director, Directorate of International Security and Disarmament, Department of Foreign Affairs

--Mr. Edwin Suchranudin, Second Secretary, Indonesian Embassy

--Ms. Dewi J. Meidiwaty, Third Secretary, Indonesian Embassy

#### Laos

--Ms. Kanika Phommachanh, Director General, Department of International Organizations, Ministry of Foreign Affairs

--Mr. Virasac Somphong, First Secretary, Embassy of Lao PDR  
Tokyo

#### Malaysia

--Mr. Shahrul Ikram, Undersecretary, Multilateral Political Division, Ministry of Foreign Affairs

#### Myanmar

--Mr. Htin Lynn, Deputy Director, International Organizations Division, Ministry of Foreign Affairs

#### New Zealand

--Ms. Dell Higgie, Director, Security Policy Division, Ministry of Foreign Affairs and Trade (Ambassador for Counter-Terrorism)  
--Mr. Mike Pointer, First Secretary, New Zealand Embassy

#### Philippines

--Mr. Aladin G. Villacorte, Assistant Secretary, Office of United Nations & Other Int'l Organizations, DFA  
--Mr. Sulpicio M. Confiado, First Secretary, Philippines Embassy

#### Republic of Korea

--Mr. Choi, Sung-joo, Deputy Director-General, International Organizations, MOFAT  
--Mr. Kang, Young-hoon, First Secretary, Korean Embassy, Tokyo  
--Mr. Oh, Jae-Soon, Deputy Director, Export Control Division, Ministry of Commerce, Industry & Energy  
--Mr. Kim, Jae-woo, Second Secretary, Disarmament and Non-Proliferation Division, MOFAT

#### Singapore

--Ms. Yvonne Ow, Assistant Director, International Organizations Directorate, Ministry of Foreign Affairs  
--Mr. Eng Chuan Ong, Deputy Chief of Mission, Singapore Embassy, Tokyo

#### Thailand

--Mr. Kittichaisaree Kriangsak, Director-General, Department of International Organizations, Ministry of Foreign Affairs

#### United States

--Mr. Tony Foley, Director, Office of Counterproliferation Initiative, Bureau of International Security and Nonproliferation, Department of State  
--Mr. Steven Schleien, Director for Transnational Threats Policy, OSD  
--Ms. Elizabeth Phu, Assistant for Transnational Threats Policy, OSD  
--Mr. Eric DeSautels, Senior Advisor, ISN, State Department  
--Mr. Randall Beisecker, Regional Affairs, ISN, State Department  
--Ms. Ayanna Hobbs, Scientific and Technical Affairs Officer, Embassy Tokyo  
--Mr. Daniel Walter, Advanced Technologies Officer, Embassy



Tokyo

Vietnam

-----

--Mr. Pham Vinh Quang, Assistant Director-General,  
International Organizations Department, Ministry of Foreign  
Affairs

Japan

-----

--Mr. Takeshi Nakane (Chair), Director-General, Disarmament,  
Non-Proliferation and Science, Ministry of Foreign Affairs  
--Ms. Tomoko Ichikawa (Head of Delegation), Director,  
Non-Proliferation, Science and Nuclear Energy Division,  
Ministry of Foreign Affairs  
SCHIEFFER